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PTO/\$8/22 (12-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE eduction Act of 1995, no persons are required to respond to a collection of information unless if displays a valid OMB control number. **Docket Number (Optional)** 中のR EXTENSION OF TIME UNDER 37 CFR 1.136(a) **LUZZATTO 3.0-082** FY 2005 (Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).) 09/813,523 Filed March 21, 2001 Application Number DIAGNOSTIC METHOD AND APPARATUS M. T. Cole Examiner Art Unit 1743 This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application. The requested extension and fee are as follows (check time period desired and enter the appropriate fee below): **Small Entity Fee** Fee \$60 \$ \$120 One month (37 CFR 1.17(a)(1)) \$450 \$225 Two months (37 CFR 1.17(a)(2)) 1,020.00 \$1020 \$510 Three months (37 CFR 1.17(a)(3)) \$795 \$1590 Four months (37 CFR 1.17(a)(4)) \$1080 Five months (37 CFR 1.17(a)(5)) \$2160 Applicant claims small entity status. See 37 CFR 1.27. A check in the amount of the fee is enclosed. Payment by credit card. Form PTO-2038 is attached. The Director has already been authorized to charge fees in this application to a Deposit Account. The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to . I have enclosed a duplicate copy of this sheet. 12-1095 Deposit Account Number I am the applicant/inventor. assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96). attorney or agent of record. Registration Number attorney or agent under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 February 9, 2005 Date Signature

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Total of

than one signature is required, see below.

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

forms are submitted.

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more

Michael D. Braunstein

Typed or printed name

Dated: February 9, 2005

(Michael D. Braunstein)

(908) 518-6339

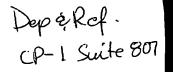
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Docket No.: LUZZATTO 3.0-082

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Lorber et al.

Application No.: 09/813,523

Group Art Unit: 1743

Filed: March 21, 2001:

Examiner: M. T. Cole

For: DIAGNOSTIC METHOD AND APPARATUS

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

REQUEST FOR REFUND

Dear Sir:

This request for refund is made within three months of the date the fee for a three month extension petition in the amount of \$1,020.00 was paid in this application. An assertion as to entitlement to small entity status was made when the application was filed. It is therefore respectfully requested that one-half of the extension petition fee be refunded by crediting our Deposit Account No. 12-1095 in the amount of \$510.00.

If the Examiner has any questions concerning this matter, he or she is requested to call applicant's attorney at (908) 654-5000.

Dated: March 7, 2005

Respectfully submitted,

Michael D. Braunstein Registration No.: 51,248 LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP

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